

MINUTES



County of Inyo Board of Supervisors

May 2, 2017

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:31 a.m., on May 2, 2017, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Mark Tillemans, presiding, Dan Tothoroh, Jeff Griffiths and Matt Kingsley. Absent: Rick Pucci.

PUBLIC COMMENT Chairperson Tillemans asked for public comment during the first public comment period and there was none.

CLOSED SESSION Chairperson Tillemans recessed open session at 8:31 a.m. to convene in closed session with all Board members present except Supervisor Pucci to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (one case); and No. 3 **CONFERENCE WITH LABOR NEGOTIATORS** [Pursuant to Government Code §54957.6] – Employee Organizations: Deputy Sheriff’s Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); Law Enforcement Administrators’ Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer Kevin Carunchio, Assistant County Administrator Rick Benson, Deputy Personnel Director Sue Dishion, Information Services Director Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

OPEN SESSION Chairperson Tillemans recessed closed session and reconvened the meeting in open session at 10:05 a.m. with all Board members present except Supervisor Pucci.

PLEDGE Supervisor Kingsley led the Pledge of Allegiance.

REPORT ON CLOSED SESSION County Counsel Marshall Rudolph reported that no action was taken during closed session that is required to be reported. The Board had not finished its closed session business, however, and would recess to closed session later in the meeting to continue discussions.

PUBLIC COMMENT Chairperson Tillemans asked for public comment during the second public comment period.

Independence resident Rich White, representing the Friends of the Eastern California Museum, announced the group’s annual deep-pit barbecue this Saturday from 4-6 p.m. at the museum, featuring music by Sandy and the High Country. He encouraged the public to check out the new Manzanar exhibit and other attractions while in attendance.

Darla Heil of Bishop inquired how long it might take the Board to get to agenda item No. 18A because she worried she might have to leave before then and wanted to comment on it. She was advised the Board would probably be discussing the matter within the next 10 minutes.

Supervisor Kingsley took the opportunity to announce that Supervisor Pucci would be absent the next two weeks as he dealt with family medical issues out of the area.

Chairperson Tillemans announced there would be an Owens Valley Boosters barbecue fundraiser on the back of the courthouse lawn from 11 a.m. to 1 p.m.

COUNTY DEPARTMENT REPORTS HHS Director Jean Turner shared with the Board a recent incident in which HHS received an email from a gentlemen who was in the child welfare program in the 1980s and trying to get in touch with his foster parents, who, it turns out, are no longer in the area. Turner said in the

email, he sang the praises of the program and the positive impact it has had on his life, and she indicated that is something the Child Welfare workforce can take pride in.

Water Director Dr. Bob Harrington provided the Board with a few updates from yesterday's Inyo County-Los Angeles Technical Group meeting, where staffs reviewed the County's comments on LADWP's pump plan. He said comments include the recommendation to recover the water table, particularly in the Big Pine, Independence, and Symmes-Shepherds wellfields, to let lessees use the runoff to their utmost benefit this year, and if LADWP has to do water spreading outside of the Owens Valley it should do it in Rose Valley. He said the Tech Group's comments matched the County's point for point. Harrington said the Tech Group also discussed the Lower Owens River Project, specifically LADWP's recently pulse flows that peaked at 275 cubic-feet-per-second per day – which has been the recommendation of LORP consultants for many years. He said there is also a recommendation for a 200 cfs habitat flow this spring prior to June 15 to hopefully avoid a fish kill. Harrington noted that the LORP work plan for 2017-2018 has been approved and will be coming to the Board with an analysis of cost trends because of concerns with ever-inflating operations and maintenance costs. He said next week Inyo County is hosting a Standing Committee meeting in Independence at 11 a.m. on May 11.

Supervisor Totheroh announced May is Mental Health Awareness Month, in recognition of which he will be wearing a fluorescent green tie each Tuesday.

INTRODUCTION

Health and Human Services Senior Management Analyst Melissa Best-Baker introduced to the Board new HHS Administrative Analyst II Topah Spoonhunter.

CAO-I.S. – MICROSOFT WINDOWS 10

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the acquisition of software licensing between the County of Inyo and Microsoft through CDW-G, for the provision of Microsoft Windows 10 Professional software, in an amount not to exceed \$79,170 plus applicable taxes, for a period of three years from the date the license is purchased, at a rate of \$26,390 plus applicable taxes per year contingent on approval of future budgets, and authorize the Information Services Director to sign. Motion carried unanimously 4-0, with Supervisor Pucci absent.

HHS-FIRST 5 – TRIPLE P SOLE-SOURCE PARENTING SUPPLIES

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to declare Triple P America a sole-source provider for copyrighted parenting supplies and approve a purchase order in the amount of \$16,431.83 to Triple P America for the parenting supplies. Motion carried unanimously 4-0, with Supervisor Pucci absent.

HHS – PARADIGM MEDI-CAL CONTRACT

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the contract between the County of Inyo and Paradigm Health Care Services for Medi-Cal Administrative Activities, in an amount not to exceed \$80,000 for the period of July 1, 2017 through June 30, 2020, contingent upon approval of future budgets, and authorize the Chairperson to sign the contract. Motion carried unanimously 4-0, with Supervisor Pucci absent.

PLANNING/WATER – SOLE-SOURCE DANIEL B. STEPHENS CONTRACT

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the sole-source contract between the County of Inyo and Daniel B. Stephens & Associates, Inc. for the provision of hydrological services in an amount not to exceed \$40,000 for the period of April 25, 2017 to April 25, 2018, and authorize the Chairperson to sign, contingent upon adoption of future budgets and on all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.

PW – REJECT COUNTY BUILDING ROOFING PROJECT BIDS

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) reject the bids submitted by ERC Roofing and Waterproofing of San Clemente, CA and Contract West Roofing, Inc. of Salt Lake City, UT for the County Buildings Roofing Project as they are over the allotted budget; and B) direct the Public Works Department to research alternative roofing options. Motion carried unanimously 4-0, with Supervisor Pucci absent.

PW – REJECT WATER DEPT. ROOFING PROJECT BIDS

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) reject the bids submitted by ERC Roofing and Waterproofing of San Clemente, CA and Contract West Roofing, Inc. of Salt Lake City, UT for the Water Department Roofing Project as they are over the allotted budget; and B) direct the Public Works Department to research alternative roofing options. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*PW – EASTERN
SIERRA
ENGINEERING
AMENDMENT 3*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to accept Amendment No. 3 to County of Inyo Standard Contract No. 156 between the County of Inyo and Eastern Sierra Engineering to increase the amount of the contract \$10,685 for a total not-to-exceed amount of \$149,784.40; and authorize the Chairperson to sign, contingent upon adoption of future budgets and on all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*PLANNING – 5TH
DISTRICT
COMMISSIONER*

Supervisor Kingsley said he feels lucky to have been able to recruit Scott Kemp Jr. for the vacant Fifth District Planning Commissioner position. He said Mr. Kemp is excited about serving on the Planning Commission, and Supervisor Kingsley recommended his appointment. Chairperson Tillemans said he definitely endorsed that recommendation. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to appoint Scott Kemp Jr. to the Inyo County Planning Commission, to represent the Fifth District. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*BOS – EASTERN
SIERRA TRANSIT JPA
AMENDMENT*

Chairperson Tillemans explained that at last week's Eastern Sierra Transit Authority Board meeting, Mono County Supervisor Stacy Corless spoke about a conflict of interest she has in serving on the ESTA Board because of work her husband does with Mammoth Mountain. Another amendment to the ESTA Joint Powers Agreement would allow a member of the public at large to continue filling her position. Supervisor Griffiths noted that he continues to be opposed to the idea of non-elected officials sitting on the JPA Board, so instead of making the option permanent, the amendment extends the public member appointment for another year until Mono County is able to appoint an elected official. County Counsel Rudolph explained that the situation has arisen because supervisors cannot serve on both the Local Transportation Commission and ESTA Board, and the three Mono County supervisors who already serve on the LTC are unwilling to give up their positions. That leaves two supervisors to fill Mono's two positions on the ESTA Board, and Supervisor Corless is currently ineligible due to the conflict of interest. Supervisor Totheroh said the issue has already gone on for a year. He said maybe if the problem is not resolved after this year-long extension, Mono County should just have one representative on the ESTA Board instead of two. Griffiths noted it does create quorum challenges at times. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve an amendment to Eastern Sierra Transit Authority's (ESTA) Joint Powers Agreement that would extend until December 31, 2018 the provision that permits the member entities to fill one of their two ESTA Board positions with a member of the public at large. Motion carried unanimously 4-0, with Supervisor Pucci absent. Supervisor Kingsley thanked Griffiths for making the public appointment short-term and said there does seem to be a way Mono County can solve its issue.

*HHS – LETTER TO
CONGRESSMAN
COOK RE IMPACTS
OF AHCA*

HHS Director Jean Turner said the reason this addendum item is coming before the Board is because the California State Association of Counties (CSAC) and five affiliate associations sent out communications late last week as a vote on the proposed American Health Care Act (AHCA) is imminent and discussions have broken down along party lines. She said organizations and officials are reaching out to Congressmen to persuade them to act in their constituents' best interests but Turner did not dare reach out without knowing whether her position was aligned with the Board's. She said she does not consider herself an expert on the legislation, but she does know the impacts on the ground of the Affordable Care Act (ACA) and what the changes would be if the American Health Care Act passed. Chief among those changes is the loss of Medi-Cal coverage for 1,800 people who got health care insurance for the first time under the ACA. She said the AHCA would also cap federal Medicaid spending, negatively impact public health funding for programs like immunizations, child health initiatives and HIV surveillance efforts, and would eliminate the enhanced federal match for In-Home Support Services (IHSS), which would have a direct impact on homebound and shut-in individuals, whose share of cost went from \$1,000 to \$200 under the ACA. Chairperson Tillemans asked how much the IHSS program grew under Obamacare. Turner said it did not grow so much as the costs were shifted from the county's General Fund to Medi-Cal. She said she is aware of problems with the ACA but she hoped the County could convey in some way to Congressman Cook how the County wants to protect its people who have been positively impacted by the ACA. She said the County Medical Services Program (for medically indigent adults) caseload in Inyo County went from 500 to about 2 under the ACA and it's unknown how the State respond and thus what the County's costs will be if it has to take responsibility for a 500-person caseload again. Supervisor Griffiths said he wanted to make a statement before hearing from the public. He said he believes local government and particularly this Board works best when it's non-partisan and when they look at their shared values regarding what's

important and worth protecting in Inyo County. He said with the First Amendment, people can say whatever they want but he challenged speakers to have this conversation in a way that looks at protecting the health and well-being people in the community and the County's financial bottom line. He also said if speakers could avoid using words like Barack Obama and Donald Trump or Republican and Democrat, then they could all have a much more fruitful discussion. Supervisor Kingsley said the matter at hand is a financial and moral issue, not a Democrat or Republican issue, and he believes the County should be addressing what the needs are here in Inyo County. He said he doesn't care if the legislation is called the American Health Care Act, Obamacare, or Atilla the Hun Care; what he cares about is whether the bill meets his constituents' needs. He added that he also hoped not to hear about current or former presidents. Supervisor Totheroh concurred, and said the Board obviously wants to help safeguard the health of the people in its communities. He noted that the negative impacts of the AHCA would be hitting the most vulnerable populations hardest and he supported getting some signals out in support of CSAC's efforts. Chairperson Tillemans said as the true non-partisan and Independent of the Board, he completely agreed and said the Board has always focused on what is best for its people. Darla Heil of Bishop said she totally agreed with everything the Board just said and thanked Turner for getting the item on the agenda. She said she supported the Board sending a letter asking Congressman Cook to oppose the AHCA, noting that the 1,800 people who stand to lose health care make up 10% of Inyo County's population and they're also the most vulnerable residents. She called the prospect obscene. Heil also expressed concern over the provision that would allow insurance companies to preclude coverage or charge high rates because of pre-existing conditions, which she said everyone has. And although she said she didn't think California would take that option, millions across the country would still suffer. She then noted that the hospitals would be hit hard financially when the people who lose insurance and health care coverage have to start going to emergency rooms again for treatment, and the hospitals don't get reimbursed through Medi-Cal. Drew Wickman of Lone Pine said he was representing the newly formed South County Advocates, a non-partisan group of about 50 residents concerned with political and social issues. He thanked Turner for getting the discussion on the agenda. He said he has been lucky as a diabetic that he could get insurance through his employer or Medicare, because it's a prohibitive pre-existing condition for millions of Americans under the AHCA. He echoed Heil's sentiments about the financial burden on hospitals, noting they rely to a great extent on Medi-Cal and Medicaid. He also noted that preventative medicine, a focus of the ACA, will be cut. Janet Maillet of Bishop asked the Board to support a letter to Congressman Cook in opposition of the AHCA. She also thanked Turner for bringing the matter forward. She commented on the need for health care for people with pre-existing conditions, like her diabetic son who, if he didn't receive health care through his Tribe could only receive it through the ACA. She also said youth should be able to remain on their parents' insurance until age 26, and there should be no cap on lifetime expenses, which would be helpful for people with chronic illnesses. She said geographically, Inyo County carries weight in Cook's district. Art Maillet of Bishop said he would appreciate the Board taking a stand in opposition of the AHCA and in support of the ACA. He noted this latest version of the legislation is worse than the first, and the first one had a 17% approval rating with the American people. Tom Boo, a physician with Toiyabe Indian Health Clinic, said he sees patients every week who are part of the 1,800 who stand to lose their health care coverage. He said the objectives of the AHCA have not been fully outlined, other than to keep a campaign promise to repeal the ACA. He also thanked HHS for bringing the item before the Board. Edie Trimmer of Big Pine said she too would like the Board to write a letter urging Congressman Cook to oppose the AHCA and said she believes the ACA, with some improvements, can lower health care costs and become a successful system. She said she worried about prenatal care being cut under the AHCA and said she wished Congress would end the cycle of poorly thought-out bills wasting everyone's time. Supervisor Griffiths suggested how to proceed: sending a letter to Congressman Cook focused on Inyo County and the specific impacts to its residents, such as those cited by the speakers today. He said that way, Congressman Cook will know Inyo's concerns and it will be up to him to support what's important to the county. Supervisor Totheroh suggested the letter be worded so it asks Congressman Cook to support legislation that protects or does the things that are important to Inyo, rather than asking him not to do something. Supervisor Kingsley said he was completely supportive of the suggestive approach. He noted he has a son who is covered under the ACA who might not have health care insurance otherwise but felt the Board should address the fact that Obamacare has not been good for rural hospitals and that the letter ask Congressman Cook to support legislation that protects rural hospitals. He said the County should also ask for support of small businesses. The Board provided Turner with further direction regarding the content of the letter. Wickman asked that the letter include mention of all costs, not just monetary costs. Supervisor

Kingsley said it is important to stress the fiscal impact to the County because it could not function financially if it had to bear the costs for providing health care and prevention and public health programs being cut by the ACHA. Turner told the Board she would return with the letter later in the day for approval.

*HHS – CMSP
WELLNESS &
PREVENTION PILOT
PROJECT*

HHS Director Jean Turner explained that with Medi-Cal expansion under the Affordable Care Act, the County Medical Services Board found itself with a healthy reserve and ultimately decided to distribute the money back to the counties through a proposal process and Inyo County's proposal was approved. She explained that the proposal includes three components: a telemedicine program; utilizing the County's temporary hiring category to create internships for indigent adults; and mapping social determinates of health as well as wellness and gap issues in communities. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to ratify and approve the agreement with the Governing Board of the County Medical Services Program for a total three-year allocation of \$150,000 to implement the CMSP Wellness and Prevention Pilot Project, to be used to support telemedicine infrastructure throughout Inyo County, including in the Jail and serving indigent adults, contingent upon approval of future budgets; and authorize the Health and Human Services Director to sign the agreement. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*ENVIRONMENTAL
HEALTH – OWTS
ORDINANCE
ENACTMENT (#1206)*

Following up on last week's public hearing and waiving of the first reading of the proposed Onsite Waste Water Treatment System ordinance, Environmental Health Specialist Jerry Oser explained how enactment of the ordinance is needed so the department can submit its Local Area Management Plan to the Lahontan Regional Water Quality Control Board for approval. Chairperson Tillemans thanked Oser for a great series of meetings on the subject and efforts on behalf of the public. Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to enact an ordinance titled, "An Ordinance of Inyo County, State of California, Adding Chapter 7.12 to the Inyo County Code Pertaining to Onsite Wastewater Treatment Systems." Motion carried unanimously 4-0, with Supervisor Pucci absent.

RECESS/RECONVENE

Chairperson Tillemans recessed the meeting at 11:33 a.m. for lunch and reconvened the meeting at 12:17 p.m. with all Board members present except for Supervisor Pucci.

*PW – LETTER
SUPPORTING REDS
MEADOW FLAP
APPLICATION*

Courtney Smith with Public Works pointed out a typo on the Agenda Request Form that refers to Rock Creek Road instead of Reds Meadow Road. He explained Public Works is proposing a letter of support to Mono County for its Federal Land Access Program (FLAP) grant application to construct a two-lane road on the upper 2.5-mile segment of Reds Meadow Road and rehabilitate the lower 5.8-mile segment at a cost of \$24 million. Smith said this project is in competition with the County's Rock Creek Road FLAP grant but he believes there is room for both projects and this project benefits the whole Eastern Sierra. Supervisor Griffiths noted that the Town of Mammoth Lakes is actually the lead on the project. He said the letter is a good example of regional cooperation and hopefully would encourage those entities to north to support Inyo's future FLAP applications and other projects. He noted that Reds Meadow Route has allowed Eastern Sierra Transit Authority to be fiscally solvent and it's very possible the public wouldn't have transit in Inyo County without ESTA's Reds Meadow contract. Supervisor Totheroh said he was supportive of the letter for the same reasons and would like Smith to talk to the appropriate parties regarding the problem of the entrance station that was moved down to the ski area. Supervisor Griffiths said it was his understanding the location was good for ESTA. Chairperson Tillemans said maybe those concerns could be brought up during the environmental phase of the project. Smith said the Town of Mammoth Lakes would be copied on the letter and Chairperson Tillemans said the letter itself should mention supporting the Town as well as Mono County. Supervisor Kingsley said he supported the project but expressed concern over the cost, which he said is twice what it cost to rebuild Whitney Portal Road. He also did not agree with ESTA's increase in fees on the Reds Meadow route to subsidize ongoing maintenance of the road, which he called charging taxpayers to get to their own land. He reiterated that he supports the project and acknowledged the road is bad, but said it doesn't seem like the best use of \$24 million. Supervisor Griffiths said buses will not be able to make it up and down the road unless it is repaired. Supervisor Totheroh said the conditions on Reds Meadow are different than they are on Whitney Portal Road. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve a letter of support to Mono County for a Federal Lands Access Program grant to reconstruct and improve Reds Meadow Road, and authorize the Public Works Director to sign. Motion carried unanimously 4-0, with Supervisor Pucci absent. Supervisor Kingsley asked if Smith could maybe convey his concerns to the project

proponents. Smith added that Mono County was originally going for the full pot of \$30 million, so this is a scaled-back request.

*HHS-SOCIAL
SERVICES – HUMAN
SERVICES
SUPERVISOR*

Health and Human Services Senior Management Analyst Melissa Best-Baker said the longtime Human Services Supervisor in the Lone Pine office retired and her position needed to be filled. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) full-time Human Services Supervisor position exists in a non-General Fund budget, as certified by the Health and Human Services Director and concurred with the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but as a State Merit position, an external recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) full-time Human Services Supervisor at Range 70 (\$4,391 - \$5,341). Motion carried unanimously 4-0, with Supervisor Pucci absent.

*HHS-SOCIAL
SERVICES –
INTEGRATED CASE
WORKER II*

Health and Human Services Senior Management Analyst Melissa Best-Baker said the vacant Integrated Case Worker II position in the Bishop office is responsible for Welfare to Work activities. She said there are two staff members who might qualify for the position but if an internal recruitment is unsuccessful, HHS wants to recruit externally. Moved by Supervisor Totheroh and seconded by Supervisor Kingsley for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) full-time Integrated Case Worker II position exists in a non-General Fund budget, as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, as a State Merit position, the vacancy could be filled through a closed departmental recruitment; C) approve the hiring of one (1) full-time Integrated Case Worker II at Range 64 (\$3,810 - \$4,630); and D) if the closed departmental recruitment does not yield a qualified applicant, authorize HHS to recruit for the position as an Integrated Case Worker I at Range 60 (\$3,471 - \$4,216) or Integrated Case Worker II, through an external recruitment. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*LAND OF EVEN LESS
WATER EMERGENCY*

CAO Carunchio reminded the Board that because drought conditions no longer exist in California, the Governor called off the statewide emergency but drought-related hydrological mystery spot conditions continue in West Bishop. He said depending on what you lot live on, you have very little water in your well. As such, he said it is recommended the Board continue the Land of EVEN Land of Less Water emergency to afford West Bishop residents assistance. Carunchio said when staff will be presenting a revised version of the five-page resolution to the Board when it has a chance. Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to continue the local emergency known as the "Land of EVEN Less Water Emergency," that was proclaimed as a result of extreme drought conditions that existed until recently in the County, while considering how to address the ongoing hydrologic issues in West Bishop. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*HERE IT COMES
EMERGENCY*

CAO Carunchio said the County hosted another Unified Command meeting yesterday with about 50 people in attendance. He said the meetings have been markedly improved since the visit four weeks ago from senior LADWP staff. He said the County is in the process of removing the vault toilet at Pleasant Valley Campground that is in danger of falling into the river due to bank erosion. He also said the Bishop Tribe is still working to clear channels and ditches on the reservation and provided maps to the County, which is recommending Public Works and the City of Bishop walk the channels with Tribal representatives to get an idea of what's actually on the ground. He said a request to the State can be made for additional help from Caltrans or CalFire if needed. Carunchio reported that Public Works did a great job clearing the Big Pine Channel and is still working on overreaching issues with LADWP on the Bishop Bypass, including the potential for culvert blocking in the Dixon Lane area. He said staff is working with the Sheriff on a focused Code Red alert in that area because there is no water master or water district and flooding is anticipated when the bypass spills. He said residents are encouraged to clear ditches and utilize sand bags. Supervisor Kingsley asked when the runoff will start coming in earnest. Chairperson Tillemans said it is estimated Oak Creek will be at its height around May 18, with waters south following a week or two after. Carunchio said Southern California Edison forecasts June as the highest month but the agencies have stopped trying to predict because it all comes down to weather patterns, even with historical data. He noted a media outlet recently liberally quoted the Board about the dangers of the runoff and reported the

County had no measures in place for informing the public, despite the fact he sent a one-page email listing such measures and the Sheriff's Office has been issuing a series of runoff related press releases on a weekly basis for about a month. He also noted a "Be Aware, Be Prepared" campaign coming soon, as well as the availability of the Code Red Alert System in case of emergencies. Carunchio also provided an update on LADWP's bypassing of the Unified Command structure in requesting variances from regulatory agencies, noting that meetings continue between regulatory agencies and LADWP continue and sometimes the County is aware of the subject matter and sometimes it is not. He said some of the regulatory agencies have no emergency protocols in place and say they need a Governor's Proclamation to process requests. Carunchio said he suggested LADWP transmit its requests to the County, so it can enter those into the Web Emergency Operations Center where it can be considered by the State relative to the County's proclamation. He said LADWP is losing valuable time to protect lake infrastructure. Carunchio also reported that the Office of Dam Safety is not willing to extend dam capacity variances for long periods of time so LADWP is waiting to turn them in. Pleasant Valley Reservoir, controlled by the power group, did receive a variance for a 7- to 8-foot rise in its dam level. He also noted that the County has deviated from its usual sandbag protocol (distributed at discretion of local fire chiefs) and procured 24,000 sandbags with which fire departments can maintain their emergency supplies but also receive shipments on a population pro-rated basis to do public sandbag giveaways. Supervisor Tothoroh said he was concerned about the rise in Pleasant Valley Reservoir because at some point it will have to be lowered and as an engineer he worries about it being able to spill safely. Carunchio said this is one reason the County requested LADWP respect the Unified Command structure and have its requests come through the County. Supervisor Tothoroh said he would like to see the Public Works Director take a look at the Pleasant Valley situation. Carunchio said he will convey Supervisor Tothoroh's concerns to Mr. Quilter but cannot guarantee the Office of Dam Safety or LADWP will be forthcoming and Public Works has other priorities at this point. Kelley Williams, County Emergency Management Specialist, said she received news on Friday that the Governor included Inyo County in its emergency proclamation for the second January storm and has forwarded its application to the Federal government. She also said the other local agencies are being asked to start documenting all concerns with her so she can get it onto the Web EOC and documented. Moved by Supervisor Kingsley and seconded by Supervisor Tothoroh to continue the local emergency known as the "Here It Comes Emergency" that was proclaimed in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County. Motion carried unanimously 4-0, with Supervisor Pucci absent.

**ROCKY ROAD
EMERGENCY**

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to continue the local emergency known as the "Rocky Road Emergency" that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued throughout February. Motion carried unanimously 4-0, with Supervisor Pucci absent.

**GULLY WASHER
EMERGENCY**

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to continue the local emergency known as the "Gully Washer Emergency" that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013. Motion carried unanimously 4-0, with Supervisor Pucci absent.

**DV DOWN BUT NOT
OUT EMERGENCY**

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to continue the local emergency known as the "Death Valley Down But Not Out Emergency" that was proclaimed as a result of flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015. Motion carried unanimously 4-0, with Supervisor Pucci absent.

**CAO – 3RD QUARTER
FINANCIAL REPORT**

CAO Carunchio presented what he called a straightforward and positive Third Quarter Financial Report, relative to budget policy, but also said it could be the calm before the storm. He also distributed an errata to the original report provided that corrects overstated revenue figures (from \$89,264,729 to \$88,264,728). He said the big news is the recommended use of Contingencies, driven by rising coroner expenses as a result of considerable more deaths; increased utility expenses from the long, cold winter; the need to replace the failed Laws Museum septic system; the prudent addition of another \$50,000 in the elections equipment trust set up in Fiscal Year 2016-2017 so the County can start replacing the outdated equipment sooner rather than later; the Sheriff's 9-1-1 repeater upgrade; and adding another \$50,000 to the OPEB Trust – all of which will leave the Contingencies balance at \$96,144. He said looking

ahead, the 2017-2018 budget year will likely be tight, and cited several key factors impacting County finances. He said this budget report was prepared when the second assault of the Affordable Care Act was under way so there is much uncertainty with regard to health care funding. He said the State's In-Home Support Services betrayal alone will cause a \$70,000 impact that will grow to \$383,000 in a few years. Senate Bill 1 will provide extra funding for roads. He said Public Works will probably do a status quo funding request for Fiscal Year 2017-2018 however. Payments-in-Lieu of Taxes (PILT) will be reduced by \$200,000 and there will be fewer geothermal royalties that the County uses to offset General Fund expenses as a result of Coso Geothermal's production being down. Carunchio discussed rising personnel costs, including \$1.4 million in increased pension costs of \$320,000 in wage increases, \$280,000 in increased health benefits, and \$88,000 in higher retiree health care costs. Supervisor Griffiths asked whether the costs reflected the wage increases with only the bargaining units that have accepted the County's offer. Carunchio explained that the figures are anticipated costs, and the money, once budgeted, does not go back to the fund balance if the final contract is not approved. Continuing with key factors contributing to the budget outlook, Carunchio noted a \$113,000 (4%) increase in property tax revenue from LADWP, a 1.01% increase in the Consumer Price Index resulting in an additional \$30,000, and a probable decrease in unsecured property tax. He also noted that hotel tax will decrease by about \$800,000 because of Xanterra's remodeling project at Furnace Creek. He said combined with the reduction in PILT funding, the County is looking at a \$1 million hit to its General Fund revenue. He said interest earnings continue to be positive, however small a piece of the pie they are, and noted the State Board of Equalization's miscalculations continue to be an issue which is why the Board has \$145,000 put away to pay back to the State if needed. Carunchio reported that expenditures are expected to be up by about \$2.3 million (and revenue down by \$857,000 for an increased net County cost of \$3.182 million. He said the County will be starting with a \$6.1 million gap for Fiscal Year 2017-2018, and that's before departmental requests. Carunchio discussed the next steps with the Board, including preparation of a Preliminary Fiscal Year 2017-2018 Budget in June. He also thanked Senior Budget Analysts Denelle Carrington for her hypervigilance. Supervisor Kingsley asked Carunchio whether he was considering a hiring freeze. He said not filling any positions from June through August/September would generate salary savings if departments can hold off. He added that he would be the first to say every one of the County's positions is critical at this point. Supervisor Griffiths said the upcoming budget numbers look daunting and hoped the Board hadn't become complacent due to relatively easy budgets the past several years. Carunchio said there are two big factors beyond the County's control this year: unfunded liability share costs and Xanterra's temporary shutdown putting added stress on the General Fund. He added that he thought most departments have begun to embrace the cost saving measures put in place a few years ago. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley, who echoed Supervisor Griffiths' concerns and said the Board has a responsibility to be conservative and careful with how it spends taxpayer money, to: A) accept the Fiscal Year 2016-2017 Third Quarter Financial Report as presented; B) approve the specific budget action items and recommendations discussed in the report and represented in Attachments A & B, and authorize the Auditor-Controller to make the budget adjustments as listed in Attachments A & B (*4/5ths vote required*); C) authorize the County Administrator and Auditor-Controller to make any additional year-end adjustments, as may be necessary within each fund (*4/5ths vote required*); D) approve the Preliminary Fiscal Year 2017-2018 Budget Calendar (Attachment C) with regard to the proposed dates for the Budget Hearings and adoption of the Final Budget; and; E) direct the County Administrator and Auditor-Controller to prepare a modified rollover budget for the start of Fiscal Year 2017-2018 and present it for approval on June 13th or June 20, 2017. Motion carried unanimously 4-0, with Supervisor Pucci absent.

HHS – APPROVAL OF LETTER TO CONGRESSMAN COOK RE IMPACTS OF AHCA

HHS Director Jean Turner presented a draft letter to Congressman Cook outlining Inyo County's concerns on health care legislation by requesting his support of value-based health care legislation that honors, protects and supports the county's individual citizens, its small businesses, and tiny rural hospitals, and mentioning eight specific provisions to support. After some additional wordsmithing, Turner was asked to email the letter to the Assistant Board Clerk for placement on official Board letterhead and a final proofread. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve the letter as corrected. Motion carried unanimously 4-0, with Supervisor Pucci absent.

PUBLIC COMMENT

Chairperson Tillemans asked for public comment during the final public comment period. Deputy County Administrator Brandon Shults told the Board that Information Services did a test of the public portal online streaming of the Board meeting and it went well. He said he anticipated being about two weeks out from going live. CAO Carunchio noted that Shults' tenure

as Interim IS Director has ended with the recent hire of new IS Director Scott Armstrong, who starts next week. He thanked Shults for his service. Supervisor Kingsley noted that his constituents will be excited about being able to watch the Board meetings live.

CORRESPONDENCE – ACTION ITEM – FISH & GAME COMMISSION LETTER TO BERRYHILL

CAO Carunchio introduced a request from the Inyo County Fish and Wildlife Commission for authorization to send a letter in support of legislation to Senator Tom Berryhill, reminding the Board that the Commission cannot send any letter endorsing or opposing legislation without Board approval. Supervisor Griffiths said he read the Commission’s request and letter and thinks it’s reasonable, and the bill’s goal of changing the duration of fishing licenses from a calendar year to a consecutive 12-month period from the date of purchase is a good idea. Supervisor Griffiths did note that in the minutes of the Commission meeting where it approved its request to the Board, Fish and Wildlife staff are noted as being in opposition to the change. He said he can’t tell from the minutes whether their concerns sounded significant. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to authorize the Inyo County Fish and Wildlife Commission to send a letter in support of SB 187 (Berryhill), and have the Board send a similar letter of support. Motion carried unanimously 4-0, with Supervisor Pucci absent.

BOARD AND STAFF REPORTS

Supervisor Griffiths said he went to the Manzanar Pilgrimage over the weekend and there was fantastic weather and three times as many people as last year. He also attended the Outdoor Writers Association dinner during the conference held in Bishop, where they were able to take several tours organized by the Bishop Chamber of Commerce and focused on activities like hiking, nature watching, and OHV touring. He said some of the conference participants stayed through the Fishing Opener and also attended the Bird Festival in Lone Pine. Supervisor Griffiths also mentioned a cultural event he attended with Supervisor Totheroh that included an Asian American and Muslim American young adult group and the Aka Mya Native American youth dance group. He also reported that the Inyo Council for the Arts had received two California Arts Council grants: one to host summer camps at County parks for kids and adults featuring art and live music, and another to possibly place public art along U.S. Highway 395.

Supervisor Kingsley said he was out of town the prior weekend and missed myriad local events. He noted this weekend is the Wild Wild West Marathon in Lone Pine. He also said he attended the Rural Counties of California meeting where he asked about states’ rights marijuana legislation. He said he believes there is more than one bill on the topic and will know more in June.

Supervisor Totheroh said he went up Bishop Creek Canyon during the Fishing Opener and saw a lot of people on the thin ice at Lake Sabrina. He spoke to the Sheriff and Forest Service about his concerns, and said when things calm down he would like to revisit the County’s road opening policy in light of the dangers associated with a heavy winter. He also mentioned several meetings he would be attending this week, including the Devil’s Hole Workshop in Beatty, Nev.

Chairperson Tillemans said he attended Eastern Sierra Transit Authority/Eastern Sierra Council of Governments meetings on Friday. He said the ESTA budget is healthy enough to pay off the PERS unfunded liability increase with a one-time payment, and on the ESCOG side, they approved the County’s Public, Private, and Tribal representative nominees to the Inyo-Mono Broadband Consortium Advisory Council. He also noted that the Town of Mammoth Lakes is doing an economic development plan and wanted to know if Inyo County wanted to participate through an emphasis of commonalities.

CAO Carunchio said he was thrilled about the summer art camps coming to County parks because he believes they are not utilized nearly enough.

CLOSED SESSION

Chairperson Tillemans recessed open session at 2:03 p.m. to convene in closed session with all Board members present except Supervisor Pucci to continue discussions from the earlier closed session.

OPEN SESSION

Chairperson Tillemans recessed closed session and reconvened the meeting in open session at 2:40 p.m. with all Board members present except Supervisor Pucci.

REPORT ON CLOSED SESSION

County Counsel Rudolph reported that no action was taken that is required to be reported.

ADJOURNMENT

Chairperson Tillemans adjourned the meeting at 2:40 p.m. to 8:30 a.m. Tuesday, May 9, 2017 in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

*Attest: KEVIN D. CARUNCHIO
Clerk of the Board*

by: _____
Darcy Ellis, Assistant